IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

O R D E R

S.B.CRIMINAL MISC. PETITION NO. 1207/2006
(Jarnail Singh Vs. State of Rajasthan)

Date of Order : 20/09/2006

PRESENT

HON'BLE MR. JUSTICE H.R.PANWAR

Mr. Pankaj Sharma for the petitioner.
Mr. Ashok Upadhyay, public prosecutor.

BY THE COURT:-

By the instant criminal misc. petition under Section 482 Cr.P.C., the petitioner has challenged the order dated 08.9.2006 passed by learned Sessions Judge, Hanumangarh to the extent directing auction of wood which is subject matter of crime report i.e. FIR No. 180/06 Police Station Tibbi, district Hanumangarh for the offence under Section 379 IPC and Section 47 of the Rajasthan Tenancy Act.

I have heard learned counsel for the petitioner and public prosecutor for the State. Carefully gone through the order impugned.

Having regard to the facts and circumstances of the case, in my view, the learned Sessions Judge, Hanumangarh by

the order impugned while granting bail to the present petitioner under Section 438 Cr.P.C. directed auction of the wood which is subject matter of the crime report and the matter is at the investigation stage, therefore, the order impugned to this extent deserves to be set aside.

Accordingly, the order impugned dated 8.9.2006 to the extent directing auction of the wood which is subject matter of crime report, is set aside.

The criminal misc. petition is accordingly disposed of.

(H.R.PANWAR),J.

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